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10 Attorneys for Plaintiff

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14 UNITED STATES DISTRICT COURT
15
16 DISTRICT OF NEVADA

17
18 MARLENE L. WATSON,) No. 2:18-cv-01019-BW
19)
Plaintiff,) **STIPULATION AND PROPOSED**
20) **ORDER AWARDING ATTORNEY**
v.) **FEES UNDER THE EQUAL**
21) **ACCESS TO JUSTICE ACT,**
22) **PURSUANT TO 28 U.S.C. § 2412(d),**
23) **AND COSTS, PURSUANT TO**
24) **28 U.S.C. § 1920**
25)
26)
27)
28)

IT IS HEREBY STIPULATED by and between the parties through their undersigned
counsel, subject to the approval of the Court, that Plaintiff be awarded attorney fees under the

1 Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), in the amount of FIVE THOUSAND
2 DOLLARS (\$5,000.00). This amount represents compensation for all legal services rendered on
3 behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C.
4 §§ 2412(d), 1920.

5 After the Court issues an order for EAJA fees and expenses to Plaintiff, the government
6 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's
7 attorney. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598 (2010), the ability to honor the
8 assignment will depend on whether the fees and expenses are subject to any offset allowed under
9 the United States Department of the Treasury's Offset Program. After the order for EAJA fees
10 and expenses is entered, the government will determine whether they are subject to any offset.

11 Fees and expenses shall be made payable to Plaintiff, but if the Department of the
12 Treasury determines that Plaintiff does not owe a federal debt, then the government shall cause
13 the payment of fees and expenses to be made directly to Melissa Palmer, Esq. pursuant to the
14 assignment executed by Plaintiff. Any payments made shall be delivered to Plaintiff's counsel.

15 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
16 attorney fees and expenses, and does not constitute an admission of liability on the part of
17 Defendant under the EAJA. Payment of the agreed amount shall constitute a complete release
18 from, and bar to, any and all claims that Plaintiff and/or Plaintiff's counsel may have relating to
19 EAJA attorney fees and expenses in connection with this action.

20 This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security
21 Act attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.

22
23 Dated: June 12, 2020

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25 Respectfully submitted,

26 /s/ Hal Taylor
27 Hal Taylor, Esq.
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/s/ Melissa Palmer
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Attorney(s) for Plaintiff

Dated: June 12, 2020

NICOLA T. HANNA
United States Attorney
DAVID M. HARRIS
Assistant United States Attorney
Chief, Civil Division

By: /s/ Stacy Wiesbrock *
STACY WIESBROCK
Special Assistant United States Attorney
* *By email authorization*
Attorneys for Defendant

IT IS SO ORDERED

DATED: 10:04 am, June 16, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE